

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 04-10023-GAO

MICHAEL S. SUBENKO,
Petitioner,

v.

THE COMMONWEALTH OF MASSACHUSETTS,
THE BROCKTON DISTRICT ATTORNEYS OFFICE,
and BROCKTON SUPERIOR COURT,
Respondents.

ORDER

November 10, 2004

O'TOOLE, D.J.

The respondents' motion to dismiss the petition for a writ of habeas corpus for the reason that it is time-barred under 28 U.S.C. § 2244(d) is GRANTED. The petition is DISMISSED WITH PREJUDICE.

DATE

November 10, 2004


DISTRICT JUDGE